

WESTFIELD TOWN COUNCIL, December 10, 2007

The Westfield Town Council met in regular session Monday, December 10, 2007 at the Westfield Town Hall. Members present were Bob Smith, Bob Horkay, John Dippel, Ron Thomas, Joe Plankis, Jack Hart and Andy Cook. Also present was Cindy Gossard, Clerk-Treasurer, acting Town Manager, Bruce Hauk and Legal Counsel, Brian Zaiger. President Cook called the meeting to order at 7:00 p.m.

Approval of Minutes:

Jack Hart made a motion to approve November 12, 2007 minutes as presented. Bob Smith seconded. Vote: Yes-7; No-0. Motion carried.

Guests:

None

Claims:

Bob Smith made a motion to approve claims as presented. Ron Thomas seconded. Vote: Yes-7; No-0. Motion carried.

Recognition of Westfield Employees Military Duty Activation for Iraq

Brett Bays (Westfield Police Department)

Bryan Foster explained Brett was not able to be here tonight but he appreciated the recognition.

Robert Kmetz (Westfield Public Works Department)

Kurt Wanninger presented Robert with a plaque and thanked him for serving our country.

Recognition of Council Member Service

Jack Hart
Ron Thomas

President Cook thanked Jack Hart for his 16 years of service and presented Jack with a plaque.

President Cook thanked Ron Thomas for his 4 years of service and presented Ron with a plaque.

Recognition of Final Town Council, as Westfield becomes a City

Andy Cook
John Dippel
Jack Hart
Robert Horkay
Joe Plankis
Bob Smith
Ron Thomas

Bruce Hauk thanked each Council member for their year(s) of service and commitment to the Town.

Recognition of Final Town Clerk Treasurer, as Westfield becomes a City

Cindy Gossard

President Cook thanked Cindy Gossard for her years of service and presented her with a plaque.

Recognition of Westfield Girls Cross Country State Championship

Jack Hart presented the Girls Cross Country team with a Community Pride Award.

Old Business:

Ordinance 07-26 Towne Road Crossing Rezone
Council Consideration – May 14, 2007
APC Public Hearing – June 25, 2007
First Reading – November 12, 2007
Second Reading

Greg Anderson gave brief explanation of this Ordinance

Jack Hart made a motion to approve Ordinance 07-26 as presented. Bob Smith seconded. Vote: Yes-4; No-3 (Cook- Thomas-Dippel). Motion carried.

Ordinance 07-27 Public Tree Ordinance
First Reading – November 12, 2007
Second Reading

Curt Cooley explained the purpose of this Ordinance was to have control with the tree lawn in public right of way and to help Westfield become a Tree City.

John Dippel made a motion to approve Ordinance 07-27 as presented. Jack Hart seconded. Vote; Yes-7; No-0. Motion carried.

Ordinance 07-25 Town to City Transition
First Reading – November 12, 2007
Second Reading

Brian Zaiger presented this item stating this Ordinance was an effort to make sure there was no loss of continuity or chain of command as the Town changes to a City.

Bob Smith made a motion to approve Ordinance 07-25 as presented. Joe Plankis seconded. Vote; Yes-7; No-0. Motion carried.

Ordinance 07-24 2008 Salary Ordinance
First Reading – November 12, 2007
Second Reading

John Dipple explained there were some requested changes to the Salary Ordinance for the Clerk Treasurer and the City Council for next year and a small change for the Plan Commission members. John stated he and the other Council members did discuss these changes and he is bringing them to the Council tonight for a vote.

John Dipple made a motion to approve Ordinance 07-24 as presented. Joe Plankis seconded. Vote: Yes-5; No-1 (R. Thomas) Abstain-1 (B. Smith). Motion carried.

Ordinance 07-28 Road Impact Fee Update
First Reading – November 12, 2007
Second Reading

Kurt Wanninger presented this item stating this is being proposed to reassess the roads in the Town and capital improvement needs that are necessary for development over the next ten years. Kurt asked the Council to approve and not to exceed a rate of \$602.00.

After some discussion the Council recommended leaving the rate as it is currently at \$188.00 per trip and \$1,800.00 per household.

Joe Plankis made a motion to leave the Impact Fee rate at \$188.00 per trip and \$1,800.00 per household. Bob Smith seconded. Vote: Yes-7; No-0. Motion carried.

Regulatory Changes/Council Introduction:

Council Consideration

Indiana Members Credit Union

Greg Anderson gave a brief presentation of this item stating this is a request for a rezone to this property for general office use.

Consensus to send to Plan Commission.

New Business:

**Ordinance 07-36 Lantern Commons – Pine Tree Commercial Realty,
LLC
Council Consideration – October 8, 2007
APC Public Hearing – November 26, 2007
First Reading**

Greg Anderson gave a brief presentation of this item.

Berry Haring from Pine Tree Realty LLC also gave a presentation explaining some of the commitments.

There was some discussion with the Council and a second reading is set for Monday December 17th at 8:00.

**Ordinance 07-31 Disbursement of Funds Prior to Council Approval
First Reading**

Brian Zaiger presented this item explaining this Ordinance was a request made by the Clerk Treasurer to allow paying in advance of the general pay approval process bills that would incur late fees.

This item will come back to the Council at the December 17th Special Meeting.

**Ordinance 07-32 Park Impact Fee
First Reading**

Curt Cooley presented this item stating these fees are based on needs and deficiencies within our Department and things needed to meet National Standards.

Curt was asking the fee be updated and changed from \$875.00 to \$930.00 and this amount has been before the Impact Fee Board and approved.

Parks and Recreation Department 5 Year Plan

Curt Cooley gave a brief presentation on this item stating he has been working on this plan for the last year to determine the needs of the Community with Community input.

Ordinance 07-33 Position Classification & Compensation Time

Bob Smith presented this item briefly explaining there has never been a policy specifically addressing Overtime, Comp time Flex Time and FLMA and how these are paid and used and this would set policy for Department heads to follow.

This item will come back to the Council in January.

Ordinance 07-33 Oak Ridge Pointe Council Consideration – October 8, 2007 APC Public Hearing – November 26, 2007 First Reading

Greg Anderson stated this Ordinance comes to the Council with a positive recommendation from the APC.

Jon Dobosiewicz explained the amendments made to this Ordinance from the Developers.

Bob Smith made a motion to approve this Ordinance with a letter of amendments from the Developers. Ron Thomas seconded. Vote: Yes-7; No-0. Motion carried.

Ordinance 07-37 Amendment to Sign Ordinance First Reading

Greg Anderson presented this item permitting text amendment for second level signage.

There was some discussion and this Ordinance will come back to the Council December 17th.

**Resolution 07-22 Police/Fire Pension & Disability
First Reading**

Brian Zaiger gave a brief presentation on this item explaining this is the joining of the 1977 Police and Firefighters Pension and Disability Fund and is an option and a requirement offered to the new Police Department officers.

Bob Smith made a motion to approve Resolution 07-22 as presented. Joe Plankis seconded. Vote: Yes-7; No-0. Motion carried.

Raw Water Purchase Agreement

Bruce Hauk explained this agreement would allow us to eliminate the sell of 2 million gallons of water at a certified rate per 1000, abolish our requirements to buy a certain volume of water on a month to month basis and agree to provide for Indianapolis Water 5 million gallons per day for 10 years at an escalated price per year.

There was some discussion and this will come back to the Council at our December 17th meeting.

Utility Charge Offs

This was presented by Cindy Gossard explaining that every year there are some accounts that are determined to be uncollectable and asked the Council to allow the amount of \$10,821.46 to be charged off at the end of the year.

Bob Smith made a motion to approve the 2007 Charge Offs as presented. Jack Hart seconded. Vote: Yes-7 No-0. Motion carried.

Consent Agenda:

Performance Bond Release

1. Viking Meadows – Valley View, Sec. 1
2. Viking Meadows – The Meadowlands, Sec.1

Kurt Wanninger stated the requirements have been met.

Bob Smith made a motion to approve the release of Performance Bonds for Viking Meadows as presented. Jack Hart seconded. Vote: Yes-7; No-0. Motion carried.

Release of Maintenance Bonds

None

Change Orders

None

Department Reports

Joe Plankis gave an update on work being done by the Economical Development Department.

Council Member Comments:

Andy Cook:

1. Our first formal action committee on the US 31 Project meeting will take place this week.
2. Westfield was awarded by Governor Daniels a \$250,000 Grant from Indiana Department of Natural Resources and Lilly's to continue work on the Monon.
3. In the process of putting together Department Goals and Objectives that they would like to share with the Public.
4. Personally thank Mr. Brian Zaiger, Mr. Hauk, Anne Cotham and Cindy Gossard for their work with the Town Council meetings.
5. Thank Gary Southerland for his filing in for the year of 2007 and the excellent job he did at the Fire Department.

Adjourn:

Joe Plankis made a motion to adjourn. John Dipple seconded. Vote: Yes-7; No-0. Motion carried.

With no further business the meeting adjourned at 9:35 p.m.

Clerk-Treasurer

Council President